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10 Attorneys for Adaman Mutual Water Company

AZ CORP COMMISSION
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Arizona Corporation Commission

DOCKETED

AUG 12 2010

DOCKETED BY

[Signature]

BEFORE THE ARIZONA CORPORATION COMMISSION

IN THE MATTER OF THE APPLICATION OF
ADAMAN MUTUAL WATER COMPANY FOR
APPROVAL TO ISSUE STOCK

Docket No. W-01997A-09-0297

OBJECTION TO APPLICATION
FOR THE ISSUANCE OF
SUBPOENAS

Adaman Mutual Water Company, an Arizona non-profit corporation ("Adaman") hereby objects to the Application for the Issuance of Subpoenas (the "Application") docketed by Lise A. LaBarre on August 11, 2020 for the following reasons:

1. Pursuant to a Procedural Order issued June 18, 2010, the hearing in this matter is scheduled to begin Tuesday, August 17, 2010 at 10:00 a.m. The Application was submitted to the Commission, and Adaman received notice of the Application, on Wednesday August 11, 2010, only 3 full business days before the hearing is scheduled to begin. The Application provides insufficient advance notice to witnesses regarding the need for their presence on August 17, and no reason is given in the Application for the late timing of the notice.

2. The Notice alleges each of the three requested witnesses are parties to this matter. None of the three individuals named are parties to this matter.

3. The Notice requests the presence of Adaman's President, Henry Conklin. Mr. Conklin is not available on August 17 to attend the hearing. Mr. Conklin is President of All

1 America Rose Selections, a nonprofit association (see www.rose.org for more information). Mr.
2 Conklin is scheduled to preside at a meeting of the All America Rose Selections association in
3 Chicago, Illinois on August 17, 2010. It is too late to reschedule that meeting without causing
4 economic hardship and an undue burden to those attending, including Mr. Conklin.

5 4. Another individual named in the Application is Dave Schofield, Adaman's
6 General Manager. Mr. Schofield has knowledge of relevant matters and has been designated to
7 testify on behalf of Adaman at the hearing. Adaman will make Mr. Schofield available for
8 questions at the hearing.

9 5. James E. Brophy, also named in the Application, is Adaman's corporate attorney.
10 Mr. Brophy's private communications with Adaman representatives that are relevant to the
11 proceedings are protected by the attorney-client privilege. To the extent Mr. Brophy can testify
12 to non-privileged matters relevant to the hearing, he will be made available for questions.

13 For the reasons set forth above, Adaman objects to the Application, and requests that
14 subpoenas not issue at this late date.

15 DATED this 12th day of August, 2010.

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17 RYLEY CARLOCK & APPLEWHITE

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19
20 By Michele Van Quathem
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28 Company

1 An original and thirteen copies of the
2 foregoing filed this 12th day of August, 2010
3 with:

4 Docket Control
5 Arizona Corporation Commission
6 1200 W. Washington St.
7 Phoenix, Arizona 85007

8 Copies of the foregoing hand delivered
9 this 12th day of August, 2010 to:

10 Steve Olea
11 Utilities
12 Arizona Corporation Commission
13 1200 W. Washington St.
14 Phoenix, Arizona 85007

15 Charles Hains
16 Legal Division
17 Arizona Corporation Commission
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19 Phoenix, Arizona 85007

20 Lyn Farmer
21 Hearings
22 Arizona Corporation Commission
23 1200 W. Washington St.
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25 Copy of the foregoing mailed
26 this 12th day of August, 2010 to:

27 Dr. Lise LaBarre
28 7102 North 35th Ave., Suite #3
Phoenix, Arizona 85051

By 